In the Supreme Court of the United States

OCTOBER TERM, 1964

No. 950

UNITED STATES OF AMERICA, PETITIONER

v.

THE LEITER MINERALS, INC.

No. 951

THE CALIFORNIA COMPANY, ET AL., PETITIONERS

v.

THE LEITER MINERALS, INC.

ON PETITIONS FOR WRITS OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

SUGGESTION OF MOOTNESS AND MOTION FOR AN ORDER GRANTING THE PETITIONS FOR WRITS OF CERTIORARI, VACATING THE JUDGMENT OF THE COURT OF APPEALS AND REMANDING THE CAUSE TO THE DISTRICT COURT WITH DIRECTIONS TO DISMISS AS MOOT

Come now the Solicitor General on behalf of the United States of America and The California Company, *et al.*, by their attorney, and respectfully suggest to the Court that this cause is moot for the reason that it has been settled by all parties in interest, in-

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cluding the Buras heirs who filed herein on April 26th their motion to be added as parties respondent.

For the reasons stated in petitioners' response to the Buras motion petitioners respectfully suggest that the appropriate order to be entered by this Court is one granting the motion of the Buras heirs to be added as parties respondent, granting the petitions for writs of certiorari, vacating the judgment of the court of appeals, and remanding the cause to the district court with directions to dismiss the cause as moot. See *United States* v. *Munsingwear, Inc.*, 340 U.S. 36; *Stewart* v. *Southern Ry. Co.*, 315 U.S. 784; *Hammond Clock Co.* v. *Schiff*, 293 U.S. 529; *Brotherhood of Locomotive Firemen & Enginemen* v. *Toledo, Peoria & Western R.R.*, 332 U.S. 748.

All parties in interest join in this suggestion and motion, as noted below.

(S) Archibald Cox,
ARCHIBALD COX,
Solicitor General.

(S) Francis R. Kirkham,
FRANCIS R. KIRKHAM,
Attorney for The California Company, et al.

MAY 1965.

We concur and join in the foregoing suggestion and motion.

THE LEITER MINERALS, INC.,
(S) S. W. Plauche, Jr.,
By S. W. PLAUCHE, JR.,
Its Attorney.

Alma Buras, Ellen Buras, Nellie Buras, Willis Buras, Gilbert Buras, Clyde Buras, Theodore Buras, Wilfred Buras, Muriel

Julia Buras, Myles Buras, Fay Catherine Buras, Agatha Buras, Winifred Genevieve Buras, Alice Marie Buras, Victoria Buras, Ethel Dorothea Buras, Barbara Machella, George (Georges) Salinovich, Gregory Anthony Salinovich, Stella Salinovich, Alton Wilfred Salinovich, Eleanor Coludrovich, Agnes Coludrovich, Margie Coludrovich, Marie Coludrovich, Anthony Coludrovich III, and Allen and Judith Coludrovich, both minors appearing through their natural tutrix, Elizer Buras Coludrovich, John Coludrovich, Eunice Inez Mary Buras, Mildred Agnes Buras, Estelle Veronica Buras, Raymond Buras, Elda Julia Buras, Horace Buras, Louise Frances Salinovich, Josephine Salinovich, Madelein Coludrovich, Newton Buras, Lawrence Earnest Buras, Jr. and Reva May Buras.

(S) Saul Stone,
By SAUL STONE,
(S) E. Drew McKinnis,
E. DREW MCKINNIS,
Their Attorneys.

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